

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re:	)	Chapter 11
	)	
EBRO FOODS, INC.	)	Case No. 09-10101
	)	
Debtor and Debtor in Possession.	)	Hon. Eugene R. Wedoff

**PACA TRUST BENEFICIARY HARVEST FOOD GROUP, INC.'S LIMITED  
OBJECTION TO THE FEE APPLICATION OF CLIFTON GUNDERSON, LLP**

Harvest Food Group, Inc. (the "PACA Claimant"), hereby objects to the First Application for Interim Compensation for Professional Services and for Reimbursement of Expenses of Clifton Gunderson, LLP, (the "Applicant") due to the Applicant requesting payment from non-estate property in the possession of Ebro Foods, Inc., (the "Debtor").

PACA Claimant's objection is supported by the attached Memorandum of Law. The basis for PACA Claimant's objection is that the PACA Claimant holds a qualified trust claim against the Debtor, under the Perishable Agricultural Commodities Act, 1930, 7 U.S.C. §§ 499a-499t, as amended (2007 & Supp. 2009) (the "PACA"). Applicant's application to pay its interim compensation seeks to use assets that are not part of Debtor's estate for the payment of said compensation. The Debtor cannot use non-estate property it is holding in an express statutory trust for the payment of its administrative claims such as the Applicant's request.

WHEREFORE, the First Application for Interim Compensation for Professional Services and for Reimbursement of Expenses of Clifton Gunderson, LLP should be allowed only to the extent that Applicant is granted a claim against Debtor for payment of its services and expenses, but payment of that claim should be denied until PACA Claimant's PACA trust claim is paid in full.

Date: January 26, 2010

Respectfully submitted,

HARVEST FOOD GROUP, INC.

By: /s/ Mark A. Bulgarelli, Esq.  
One of Its Attorneys

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing was served electronically to all parties on the above-captioned matter through the ECF system at the electronic address on file with the Clerk's Office or by depositing same in the U.S. Mail, postage pre-paid and properly addressed on this day, January 26, 2010.

By: /s/ Mark A. Bulgarelli, Esq.